

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

PUBLIC SERVICES – CT Department – Zone IV – Chittoor Nodal Division – Sri K.Mohan, DR ACTO, O/o CTO.II, Chittoor Circle, Chittoor Division - Departmental Test passed after the period of probation - Re-fixing of date of probation - Orders – Issued.

REVENUE (CT.I) DEPARTMENT

G.O.Rt.No 68

Dated:10.01.2013.

Read the following

- 1.Representation datd.03.01.2012 of Sri K.Mohan, DR ACTO, O/o CTO.II, Chittoor.II Circle.
- 2.Govt. Memo No.1263/CT.I(2)/2012, dated.09.01.2012.
- 3.CCTs Ref No.DX(2)/37/2012, dated.12.06.2012.
- 4.The Addl.Secretary, APPSC Lr.No.1749/DTM/2001, dated.26.05.2011.

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O R D E R:

In the reference 1st read above, Sri K.Mohan, DR ACTO, O/o CTO.II, Chittoor Circle, Chittoor Division filed representation requesting, among other things to declare his probation w.e.f.05.11.2007 i.e. date of joining in the department in the cadre of ACTO by relaxing rule 16(h) of APS & SS Rules, 1996.

2. In the reference 2nd read above, the CCT has requested to furnish his remarks for taking further necessary action in the matter.

3. In the reference 3rd read above, the CCT has reported that Sri K.Mohan was selected in Group.II Services in the year 2007 through the APPSC, Hyderabad and allotted to the Chittoor Nodal Division and appointed as ACTO. Accordingly he joined in the Chittoor nodal division on 05.11.2007. He was placed on probation for a period of two years within a continuous period of three years in the cadre of ACTO. As per the provision of Rule 9 of APCT SS Rules, every person appointed by Direct Recruitment to the post of ACTO shall, within the period of probation, pass the following tests namely (1) Book Keeping (2) Account Test for Subordinate Officers Part.I or Account Test for Executive Officer (3) Commercial Taxes Laws and Rules. I and (4) Other Laws II and also language test if any.

4. Further he informed that the individual has completed more than four (4) years of service in the cadre of ACTO. He ought to have passed all the departmental tests as above within the period of two years i.e. by 04.11.2009 from the date of regularization. The applicant has passed last departmental Test on 19.07.2011 (Local fund audit Paper IV) i.e. beyond the two years within a continuous period of three years and requested the Govt. to issue appropriate orders in the matter.

5. Government, have examined the matter carefully and observe that Sri K.Mohan joined as DR ACTO on 05.11.2007 in Chittoor Nodal Division and has passed the last departmental exam i.e. LF Audit Paper IV in November, 2011 i.e. beyond three years from the date of joining in the service. It is observed that as per rule 6 and 7 of the APPSC Dept., Test Rules for the July, 2010 session of the departmental exams: the exam has to be conducted in the month of Nov, 2010 and results have to be declared on the last Thursday of January, 2011, whereas in this case, the APPSC has issued notification in the month of May, 2011(instead of July, 2010), exam was conducted in the month of July,

2011(Instead of Nov, 2010) and results were published in the month of Nov, 2011(instead of Jan, 2011). Had the departmental test for July, 2010 session been conducted on time and the results published on time i.e. last Thursday of Jan, 2011 i.e. 27.01.2011, he would be deemed to have commenced his probation w.e.f.28.01.2009 i.e. two years anterior to the deemed date of publication of results.

6. In the above circumstances, it is considered that the delay in passing the departmental test by the individual is not entirely due to his fault but partly owing to delay in conducting of departmental tests and publication of results by the APPSC. That part of the delay cannot be attributed to the individual. It is therefore decided in terms of rule 16(h) of Andhra Pradesh State and Subordinate Service Rules 1996 read with rule 6 & 7 of A.P. Departmental Test rules, 1965 and in relaxation of its provisions in favour of the individual by invoking the powers of relaxation conferred under Rule 31 of APS & SS Rules, 1996.

7. Accordingly, in terms of rule 16(h) of the APS & SS Rules, 1996 read with rule 6 and 7 of the departmental test rules, 1965, Government hereby order that Sri M.Mohan, ACTO(DR), shall be deemed to have commenced his probation two years anterior to the deemed date of publication of results by the APPSC in respect of the last departmental test passed by him i.e. 27.01.2011. Thus his probation would be deemed to have commenced on 28.01.2009.

8. The Commissioner of Commercial Taxes, Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

**ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT**

**To
The Commissioner of Commercial Taxes, Hyderabad.
Copy to: the individual through the Commissioner of Commercial Taxes,
Hyderabad.
SF/SCs.**

// FORWARDED BY ORDER //

SECTION OFFICER